



Control Number: 48785



Item Number: 173

Addendum StartPage: 0

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CONSOLIDATED SOAH DOCKET NO. 473-19-1265

CONSOLIDATED DOCKET NO. 48785 Filed 03/28/20 PM 2:51

JOINT REPORT AND APPLICATION §
OF ONCOR ELECTRIC DELIVERY §
COMPANY LLC, AEP TEXAS INC., AND §
LCRA TRANSMISSION SERVICES §
CORPORATION TO AMEND THEIR § PUBLIC UTILITY COMMISSION
CERTIFICATES OF CONVENIENCE §
AND NECESSITY FOR 345-KV §
TRANSMISSION LINES IN PECOS, § OF TEXAS
REEVES, AND WARD COUNTIES, §
TEXAS (SAND LAKE TO SOLSTICE §
AND BAKERSFIELD TO SOLSTICE) §

**OCCIDENTAL PERMIAN LTD., OXY DELAWARE BASIN, LLC, OXY
USA INC., OXY USA WTP LP, HOUNDSTOOTH RESOURCES, LLC,
AND OCCIDENTAL WEST TEXAS OVERTHRUST, INC.'S AND COG
OPERATING LLC'S UNOPPOSED SECOND JOINT MOTION TO ADMIT
ADDITIONAL EVIDENCE AND REPORT ON LANDOWNER CONSENTS**

I. INTRODUCTION

Occidental Permian Ltd., Oxy Delaware Basin, LLC, Oxy USA, Inc., Oxy USA WTP LP, Houndstooth Resources, LLC, and Occidental West Texas Overthrust, Inc. (collectively "Oxy") and COG Operating LLC (Concho) move to admit additional evidence into the record in the above-captioned proceeding. Counsel for Oxy is authorized to represent that this motion is unopposed by all remaining parties to this docket.

II. MOTION TO ADMIT ADDITIONAL EVIDENCE

Oxy moves to admit the following exhibit, which is attached to this motion:

| | |
|-----------------|---|
| Oxy Exhibit 7-3 | Executed route modification consent agreements from the following landowners: <ul style="list-style-type: none">Balmorhea Ranch (Link E1) |
|-----------------|---|

| | |
|--|--|
| | <ul style="list-style-type: none"> • Ed Armstrong Ranches (by M. Brad Bennett) (Link C2) • Margaret Claire C. Rebouche (Link G52 and I3) |
|--|--|

Concho moves to admit the following exhibit, which is attached to this motion:

| | |
|------------------------|--|
| Concho Exhibit 5-K11-3 | <p>Executed route modification consent agreements from the following landowners:</p> <ul style="list-style-type: none"> • Hanging H Ranches Inc. (by Roy Jackson, Receiver) (Link K11) • McCoy Remme Ranches LTD f/k/a McCoy Land & Cattle Co (Link K11) |
|------------------------|--|

III. REPORT ON LANDOWNER CONSENTS

Links E1/F1: With the agreement from Balmorhea Ranch included in Oxy Exhibit 7-3, Oxy has now obtained executed route modification consent agreements from the surface owners on every tract affected by its proposed modification to Links E1/F1.

The Link E1/F1 modification affects Tracts 44, 131, 205, and 206.¹

- Tract 44 is owned by the Balmorhea Ranch.² Their consent agreement is included in Oxy Exhibit 7-3, which is attached to this motion.

¹ See Oncor/AEP Ex. 11 (Marusak Reb.) at Exhibit RJM-R-7.

² Oncor Ex. 2 (Notice Affidavit) Attachment 4 at 1.

- Tract 131 is owned by Chevron USA.³ Chevron USA's consent agreement (which was executed by Land Team Lead Todd Meade) can be found at pages 9-12 of Oxy Exhibit 7-2.
- Tracts 205 and 206 are now owned by Oxy,⁴ which consents to its own proposed modifications.

Link C2: Oxy is still awaiting a single outstanding consent agreement related to its proposed modification to Link C2. While Oxy has received positive indications from that landowner, it has not yet obtained an executed consent agreement.

Links F3/G4/G51/I2: Oxy is still attempting to obtain five outstanding consent agreements related to its proposed modification to Links F3/G4/G51/I2. Concho obtained three surface owner consent agreements from its lessors.

Links J1/J7: Concho identified two landowners who own tracts 80, 82, and 84, 145, and 146 affected by the J1/J7 modification. Both landowners consented to the modification.

Link K11: Concho's proposed K11 modification affects only tracts: 122, 140, 142, 173, 175, 230, and 362. Concho obtained landowner consents from Hanging H Ranches Inc., Hoefs Ranch LLC, and McCoy Remme Ranches LTD. Although Wolfcamp Properties, LLC did not receive notice for that link, the entity informed Concho it owns a portion of one section affected by the modification, so Concho obtained Wolfcamp Properties' consent for the K11 modification. The heirs of M.A. Scarbrough own Tract 230, or Section 28. There are twenty-two persons or entities with undivided interests. Concho obtained consent forms from all but one heir. The percentage ownership of the landowners from whom Concho obtained consent is 93.75%.

IV. CONCLUSION

Oxy and Concho respectfully request that the Commission admit Oxy Exhibit 7-3 and Concho Exhibit 5-K11-3 into the record in the above-captioned proceeding.

³ See *id.* Attachment 4 at 2.

⁴ See Oxy Exhibit 8 (Affidavit of Ryan Pfefferle).

Respectfully submitted,

THOMPSON & KNIGHT LLP

Michael McMillin signed by permission JSM

Phillip G. Oldham
State Bar No. 00794392
Katherine L. Coleman
State Bar No. 24059596
Michael McMillin
State Bar No. 24088034
98 San Jacinto Blvd., Suite 1900
Austin, Texas 78701
(512) 469.6100
(512) 469.6180 (fax)

ATTORNEYS FOR OCCIDENTAL PERMIAN
LTD., CENTURION PIPELINE LP, OXY USA
WTP LP, AND OXY USA INC.

BAYLIFF LAW FIRM PLLC

Bradford W. Bayliff signed by permission JSM

Bradford W Bayliff
State Bar No. 24012260
420 Crosswind Drive
Blanco, Texas 78606
(512) 480-9900
(512) 480-9200 (facsimile)

ATTORNEY FOR COG OPERATING LLC

CERTIFICATE OF SERVICE

I, Michael McMillin, Attorney for Oxy, hereby certify that a copy of the foregoing document was served on all parties of record in this proceeding on this 23rd day of April, 2019 by hand-delivery, facsimile, electronic mail and/or First Class, U.S. Mail, Postage Prepaid.

signed by
Michael McMillin *permission on*
Michael McMillin

PUCT Docket No. 48785
PROPOSED ROUTE MODIFICATIONS CONSENT AGREEMENT
(Link E1 Sand Lake to Solstice Portion)

This document provides consent of the undersigned landowner (Landowner) to modifications to a potential route to construct a 345 kV transmission line in a pending application of Oncor Electric Delivery Company LLC (Oncor) and AEP Texas Inc. (AEP) for a certificate of convenience and necessity filed with the Public Utility Commission of Texas (PUCT).

Landowner is executing this document at the request of Occidental Permian Ltd., Oxy Delaware Basin, LLC, Oxy USA, Inc., Oxy USA WTP LP, Houndstooth Resources, LLC, and Occidental West Texas Overthrust, Inc, which are wholly-owned subsidiaries of Occidental Petroleum Corporation (together, Oxy). Landowner acknowledges that Oxy proposes or supports modifications (Proposed Modifications) to Link E1 which Oncor and AEP proposed in their application in PUCT Docket No. 48785.

Landowner affirms Landowner owns the land underlying the Proposed Modifications depicted in Exhibit A and attached to this agreement. Oncor's and AEP's proposed Link E1 is indicated by a yellow line in Exhibit A. Landowner acknowledges the Proposed Modifications would cause Link E1 to be constructed along the blue line depicted in Exhibit A. If the PUCT approves a route including Link E1, Landowner prefers for Oncor and AEP to route the to-be-constructed electric transmission line along the path following the blue line depicted in Exhibit A.

Oncor and AEP will only construct a transmission line using the Proposed Modifications if the PUCT approves in Docket No. 48785 a route including Link E1 and the Proposed Modifications.

Landowner agrees Oxy may file this agreement with the PUCT as evidence of Landowner's notice of, and agreement and consent to, the Proposed Modifications and location of the to-be-constructed transmission line if the PUCT approves a route containing Link E1 and the Proposed Modifications. This agreement does not grant an easement or construction rights.

This document may be performed in separate counterparts.

Landowner:

By: Balmorhea Ranches, Inc.

4.1.19

Name: Trey Miller

Date

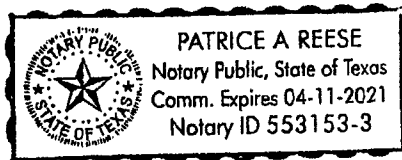
Title: General Manager

SUBSCRIBED AND SWORN TO before me by Trey Miller on this 1 day of April, 2019.

Patrice A. Reese

Notary Public

Oxy:



SOAH Docket No. 473-19-1265
PUC Docket No. 48785
OXY Exhibit No. 7-3

By: Albert Mendoza

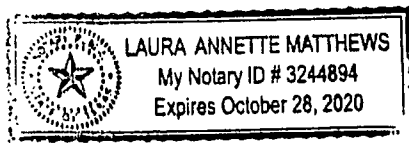
4/2/19

Name: ALBERT MENDOZA

Date

Title: MANAGER, ENERGY

SUBSCRIBED AND SWORN TO before me by Albert Mendoza on this 2nd day of April, 2019.

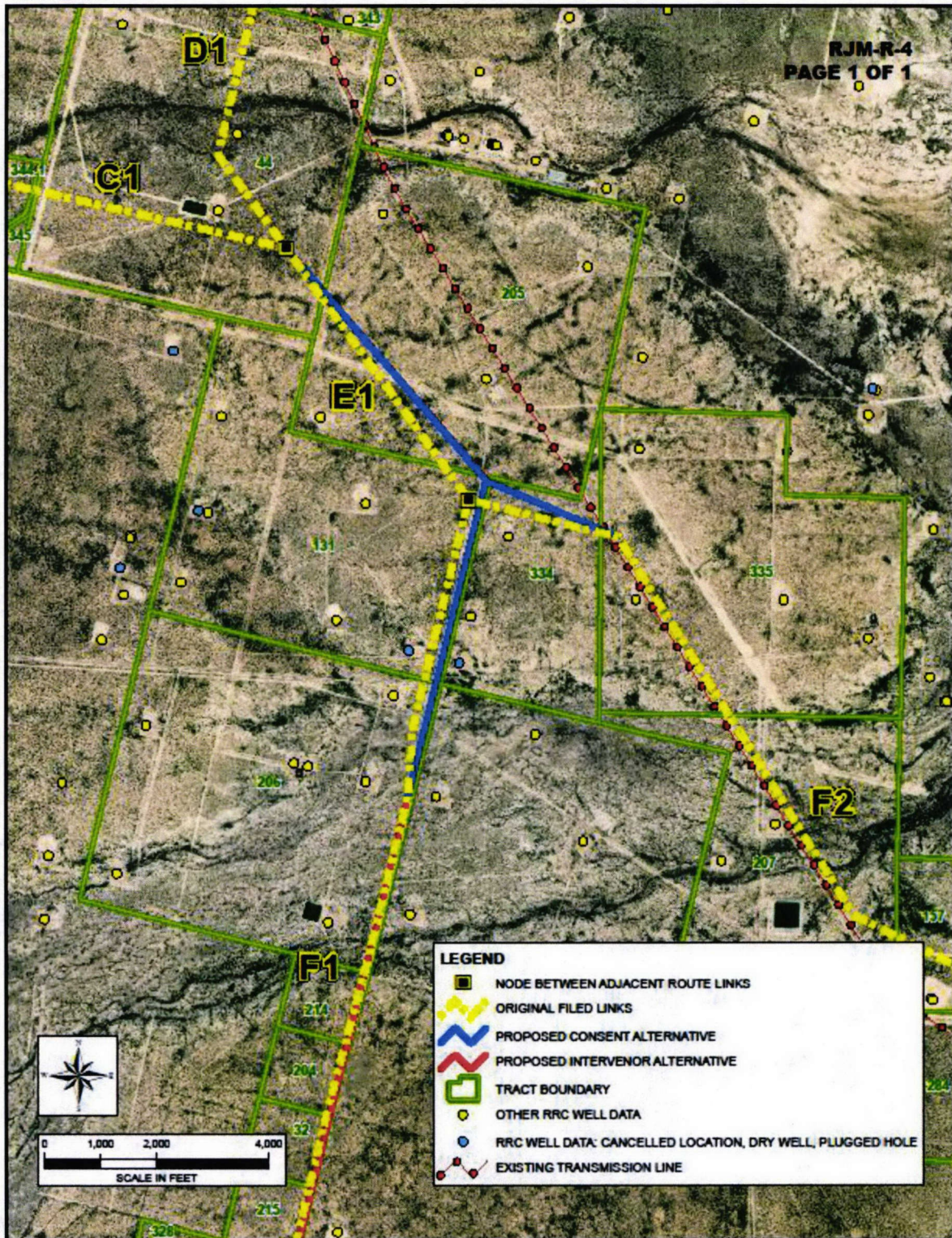


Laura A. Matthews

Notary Public

PUCT Docket No. 48785
PROPOSED ROUTE MODIFICATIONS CONSENT AGREEMENT
(Link C2, Sand Lake to Solstice Portion)

Exhibit A:



PUCT Docket No. 48785
PROPOSED ROUTE MODIFICATIONS CONSENT AGREEMENT
(Link C2, Sand Lake to Solstice Portion)

This document provides consent of the undersigned landowner (Landowner) of Tract 423 on the attached Exhibit "A" to modifications to a potential route to construct a 345 kV transmission line in a pending application of Oncor Electric Delivery Company LLC (Oncor) and AEP Texas Inc. (AEP) for a certificate of convenience and necessity filed with the Public Utility Commission of Texas (PUCT).

Landowner is executing this document at the request of Occidental Permian Ltd., Oxy Delaware Basin, LLC, Oxy USA, Inc., Oxy USA WTP LP, Houndstooth Resources, LLC, and Occidental West Texas Overthrust, Inc, which are wholly-owned subsidiaries of Occidental Petroleum Corporation (together, Oxy). Landowner acknowledges that Oxy proposes or supports modifications (Proposed Modifications) to Link C2, which Oncor and AEP proposed in their application in PUCT Docket No. 48785.

Oncor's and AEP's proposed Link C2 is indicated by a yellow line in Exhibit A. Landowner acknowledges the Proposed Modifications would cause Link C2 to be constructed along the blue line depicted in Exhibit A. If the PUCT approves a route including Link C2, Landowner prefers for Oncor and AEP to route the to-be-constructed electric transmission line along the path following the blue line depicted in Exhibit A.

Oncor and AEP will only construct a transmission line using the Proposed Modifications if the PUCT approves in Docket No. 48785 a route including Link C2 and the Proposed Modifications.

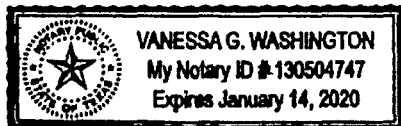
Landowner agrees Oxy may file this agreement with the PUCT as evidence of Landowner's notice of, and agreement and consent to, the Proposed Modifications and location of the to-be-constructed transmission line if the PUCT approves a route containing Link C2 and the Proposed Modifications. This agreement does not grant an easement or construction rights.

Landowner:

By: _____

M. Brad Bennett

This instrument was acknowledged before me by M. Brad Bennett on this 2nd day of April, 2019.



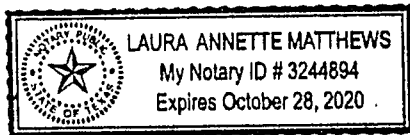
Vanessa D. Washington
Notary Public

Oxy:

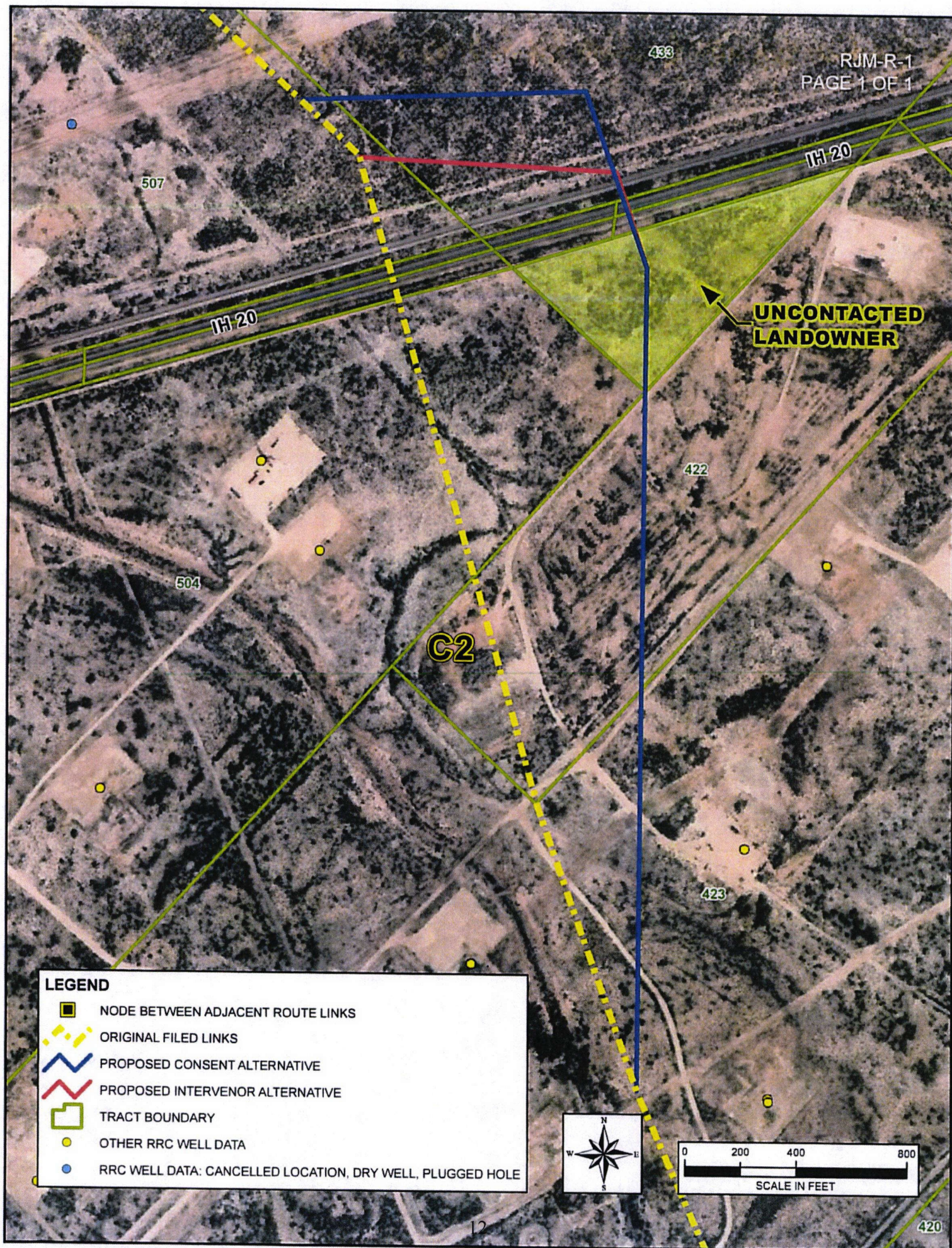
By: Albert Mendoza
Name: ALBERT MENDOZA
Title: MANAGER, ENERGY

4.23.2019
Date








SUBSCRIBED AND SWORN TO before me by Albert Mendoza on this 23RD day of April, 2019.

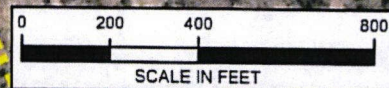


Laura A. Matthews
Notary Public



LEGEND

-  NODE BETWEEN ADJACENT ROUTE LINKS
-  ORIGINAL FILED LINKS
-  PROPOSED CONSENT ALTERNATIVE
-  PROPOSED INTERVENOR ALTERNATIVE
-  TRACT BOUNDARY
-  OTHER RRC WELL DATA
-  RRC WELL DATA: CANCELLED LOCATION, DRY WELL, PLUGGED HOLE



PUCT Docket No. 48785
PROPOSED ROUTE MODIFICATIONS CONSENT AGREEMENT
(Link G52 & I3, Sand Lake to Solstice Portion)

This document provides consent of the undersigned landowner (Landowner) to modifications to a potential route to construct a 345 kV transmission line in a pending application of Oncor Electric Delivery Company LLC (Oncor) and AEP Texas Inc. (AEP) for a certificate of convenience and necessity filed with the Public Utility Commission of Texas (PUCT).

Landowner is executing this document at the request of Occidental Permian Ltd., Oxy Delaware Basin, LLC, Oxy USA, Inc., Oxy USA WTP LP, Houndstooth Resources, LLC, and Occidental West Texas Overthrust, Inc, which are wholly-owned subsidiaries of Occidental Petroleum Corporation (together, Oxy). Landowner acknowledges that Oxy proposes or supports modifications (Proposed Modifications) to Link G52 & I3, which Oncor and AEP proposed in their application in PUCT Docket No. 48785.

Landowner affirms Landowner owns the land underlying the Proposed Modifications depicted in Exhibit A and attached to this agreement. Oncor's and AEP's proposed Link G52 & I3 is indicated by a yellow line in Exhibit A. Landowner acknowledges the Proposed Modifications would cause Link G52 & I3 to be constructed along the blue line depicted in Exhibit A. If the PUCT approves a route including Link G52 & I3, Landowner prefers for Oncor and AEP to route the to-be-constructed electric transmission line along the path following the blue line depicted in Exhibit A.

Oncor and AEP will only construct a transmission line using the Proposed Modifications if the PUCT approves in Docket No. 48785 a route including Link G52 & I3 and the Proposed Modifications.

Landowner agrees Oxy may file this agreement with the PUCT as evidence of Landowner's notice of, and agreement and consent to, the Proposed Modifications and location of the to-be-constructed transmission line if the PUCT approves a route containing Link G52 & I3 and the Proposed Modifications. This agreement does not grant an easement or construction rights.

This document may be performed in separate counterparts.

Landowner:

By: Margaret Claire C Rebouche

4/12/19

Name: Margaret Claire C Rebouche

Date

Title: Landowner

SUBSCRIBED AND SWORN TO before me by Margaret Claire C Rebouche on this 12th day of

April, 2019.

Donna B. Rowe

Notary Public



DONNA B. ROWE

Notary Public

Notary ID No. 52184

Bossier Parish, Louisiana

1

Oxy:

By: Albert Mendoza

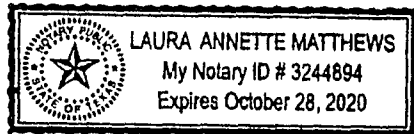
Name: ALBERT MENDOZA

Title: MANAGER ENERGY

4.23.2019

Date

SUBSCRIBED AND SWORN TO before me by Albert Mendoza on this 23rd day of
April, 2019.

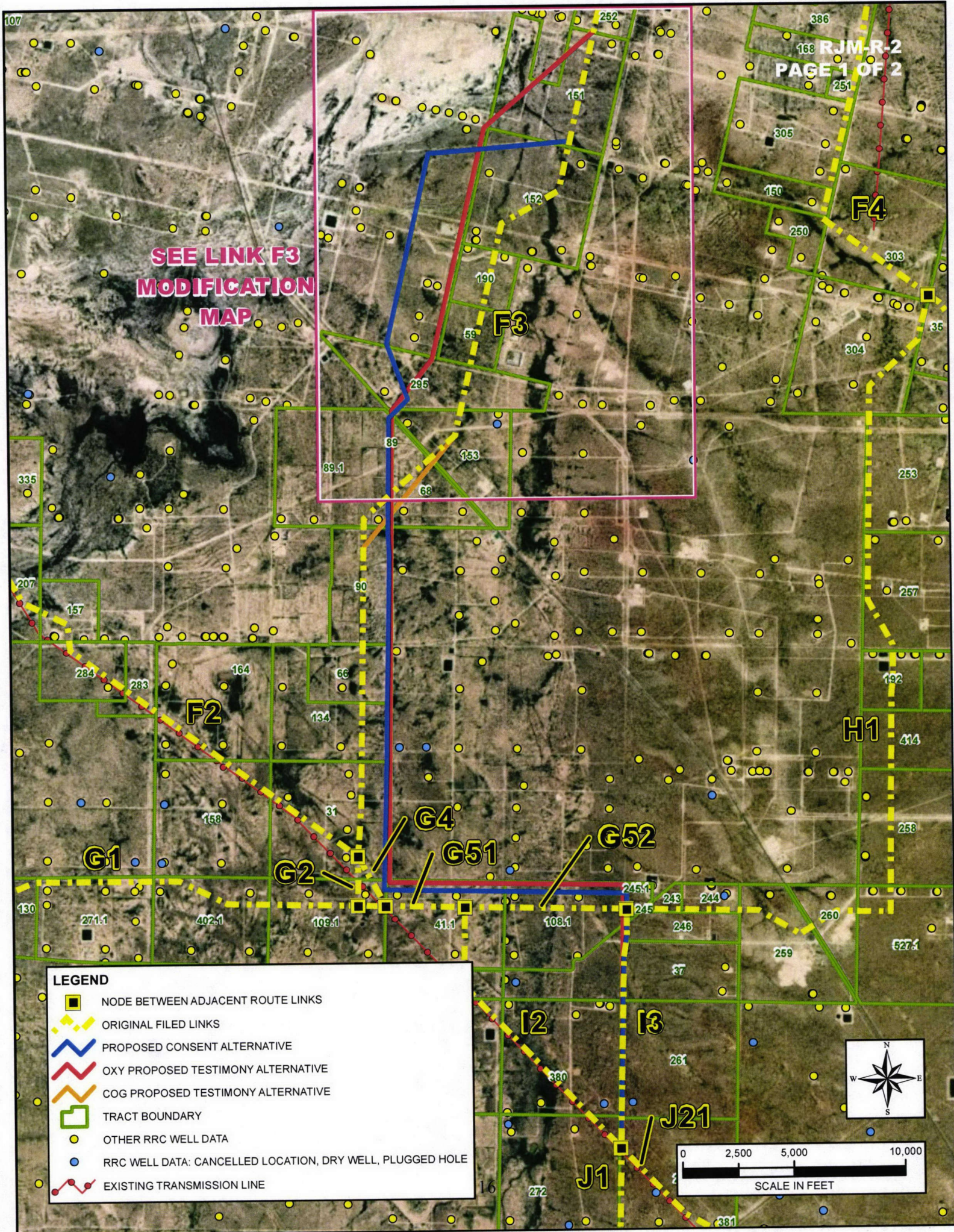


Laura A. Matthews

Notary Public

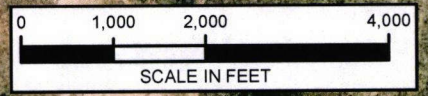
PUCT Docket No. 48785
PROPOSED ROUTE MODIFICATIONS CONSENT AGREEMENT
(Link G52 & I3, Sand Lake to Solstice Portion)

Exhibit A:



UNCONTACTED
LANDOWNERS

F3



LEGEND

- NODE BETWEEN ADJACENT ROUTE LINKS
- ORIGINAL FILED LINKS
- PROPOSED CONSENT ALTERNATIVE
- OXY PROPOSED TESTIMONY ALTERNATIVE
- COG PROPOSED TESTIMONY ALTERNATIVE
- TRACT BOUNDARY
- OTHER RRC WELL DATA
- 17 RRC WELL DATA: CANCELLED LOCATION, DRY WELL, PLUGGED HOLE

Ex. 5-K11-3

COG Operating LLC

PUCT Docket No. 48785
PROPOSED ROUTE MODIFICATIONS CONSENT AGREEMENT
Link K11, McCoy Remme Ranches Ltd Portion

This document provides consent of the undersigned landowner (Landowner) to modifications to a potential route to construct a 345 kV transmission line in a pending application of Oncor Electric Delivery Company LLC (Oncor) and AEP Texas Inc. (AEP) for a certificate of convenience and necessity filed with the Public Utility Commission of Texas (PUCT).

Landowner is executing this document at the request of COG Operating LLC, a wholly-owned subsidiary of Concho Resources Inc. (together, Concho). Landowner acknowledges Concho proposes or supports modifications (Proposed Modifications) to Link K11, which Oncor and AEP proposed in their application in PUCT Docket No. 48785.

Landowner affirms Landowner owns the land identified in green as Oncor Tract No. 122 underlying the Proposed Modifications depicted in Exhibit A attached to this agreement. Oncor's and AEP's proposed Link K11 is indicated by a yellow dashed and dotted line in Exhibit A. Landowner acknowledges the Proposed Modifications would cause Link K11 to be constructed along the blue line depicted in Exhibit A. If the PUCT approves a route including Link K11, Landowner prefers for Oncor and AEP to route the to-be-constructed electric transmission line along the path following the blue line depicted in Exhibit A. Exhibit B shows the landowners in the area of the Proposed Modifications.

Oncor and AEP will only construct a transmission line using the Proposed Modifications if the PUCT approves in Docket No. 48785 a route including Link K11 and the Proposed Modifications.

Landowner agrees Concho may file this agreement with the PUCT as evidence of Landowner's notice of, and agreement and consent to, the Proposed Modifications and location of the to-be-constructed transmission line if the PUCT approves a route containing Link K11 and the Proposed Modifications. This agreement does not grant an easement or construction rights.

This document may be performed in separate counterparts.

Landowner, McCoy Remme Ranches Ltd (f/k/a McCoy Land & Cattle Co.)

by: *McCoy Remme Land & Cattle, LLC - Gen. Partner*

By: *Kaare J. Remme*

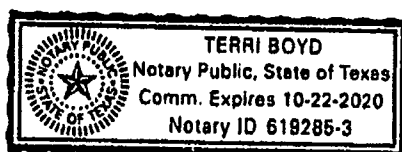
3/5/2019

Name: *Kaare J. Remme*

Date

Title: *President*

SUBSCRIBED AND SWORN TO before me by *Kaare J. Remme* on this *5th* day of *March*
~~February~~, 2019.



Terri Boyd
Notary Public

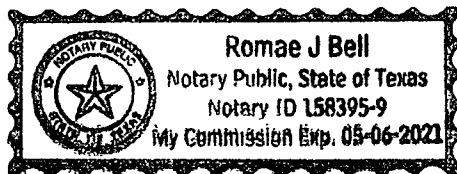
COG OPERATING LLC

By: *Mark A. Carter*
Mark A. Carter
Attorney-in-Fact *RCU*
[Signature]

STATE OF TEXAS §
 §
COUNTY OF MIDLAND §

This instrument was acknowledged before me on March 11, 2019 by
Mark A. Carter, Attorney-in-Fact for COG Operating LLC, a Delaware limited liability
company, on behalf of said limited liability company.

Romae J. Bell
Notary Public, State of Texas



PUCT Docket No. 48785
PROPOSED ROUTE MODIFICATIONS CONSENT AGREEMENT
Link K11, McCoy Remme Ranches Ltd Portion

Exhibit A

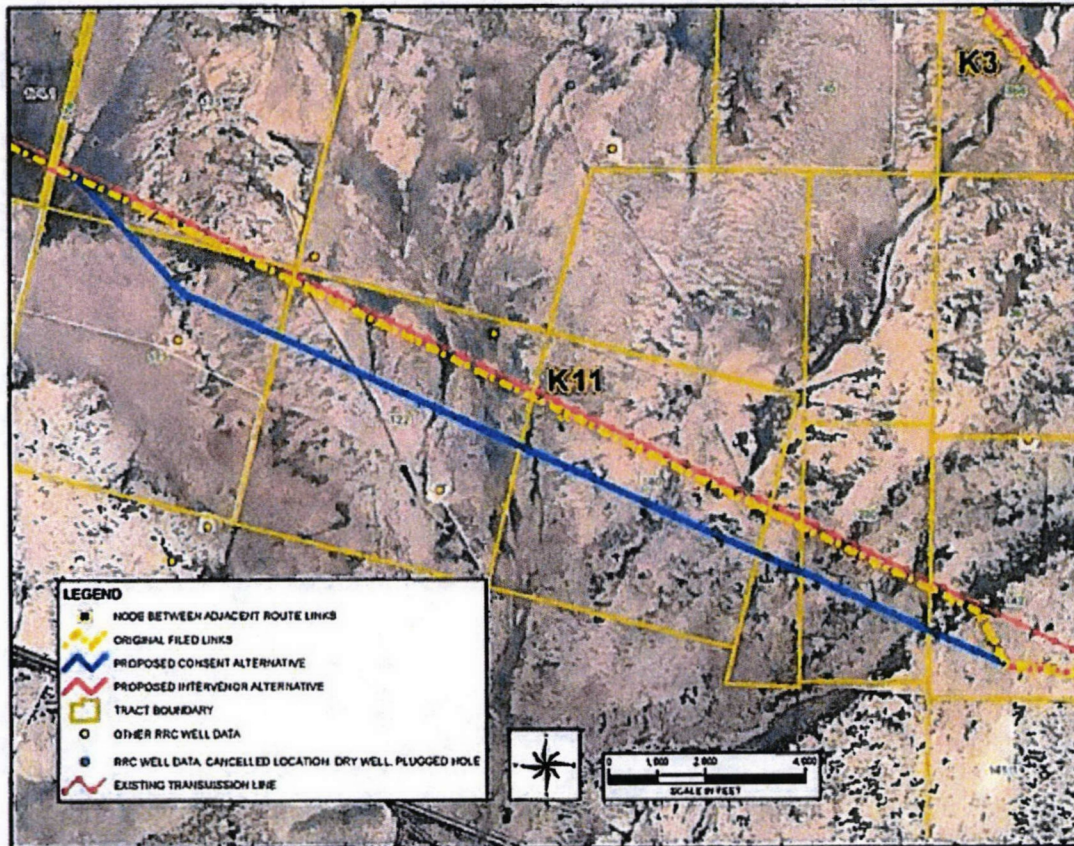
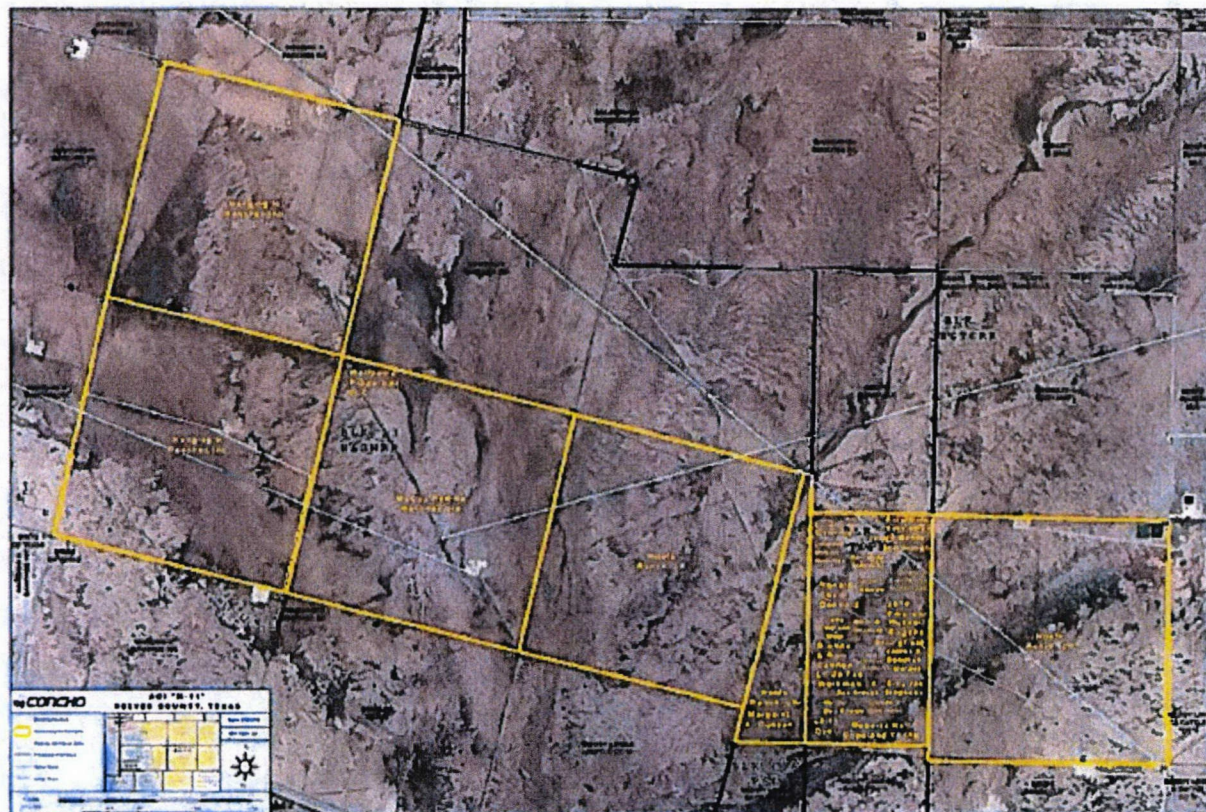


Exhibit B



PUCT Docket No. 48785
PROPOSED ROUTE MODIFICATIONS CONSENT AGREEMENT
Link K11, Hanging H Ranches Inc. Portion

This document provides consent of the undersigned landowner (Landowner) to modifications to a potential route to construct a 345 kV transmission line in a pending application of Oncor Electric Delivery Company LLC (Oncor) and AEP Texas Inc. (AEP) for a certificate of convenience and necessity filed with the Public Utility Commission of Texas (PUCT).

Landowner is executing this document at the request of COG Operating LLC, a wholly-owned subsidiary of Concho Resources Inc. (together, Concho). Landowner acknowledges Concho proposes or supports modifications (Proposed Modifications) to Link K11, which Oncor and AEP proposed in their application in PUCT Docket No. 48785.

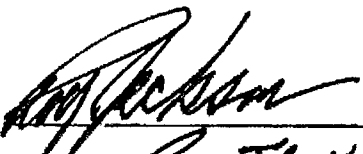
Landowner affirms Landowner owns the land underlying the Proposed Modifications depicted in Exhibit A attached to this agreement. Oncor's and AEP's proposed Link K11 is indicated by a yellow dashed and dotted line in Exhibit A. Landowner acknowledges the Proposed Modifications would cause Link K11 to be constructed along the blue line depicted in Exhibit A. If the PUCT approves a route including Link K11, Landowner prefers for Oncor and AEP to route the to-be-constructed electric transmission line along the path following the blue line depicted in Exhibit A. Exhibit B shows the landowners in the area of the Proposed Modifications.

Oncor and AEP will only construct a transmission line using the Proposed Modifications if the PUCT approves in Docket No. 48785 a route including Link K11 and the Proposed Modifications.

Landowner agrees Concho may file this agreement with the PUCT as evidence of Landowner's notice of, and agreement and consent to, the Proposed Modifications and location of the to-be-constructed transmission line if the PUCT approves a route containing Link K11 and the Proposed Modifications. This agreement does not grant an easement or construction rights.

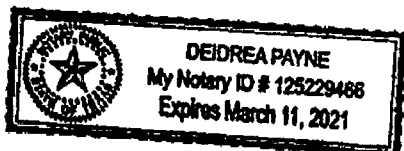
This document may be performed in separate counterparts.

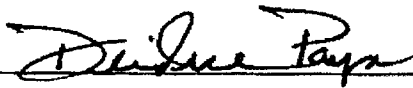
Landowner, Hanging H Ranches Inc.

By: 
Name: Roy Jackson
Title: Receiver

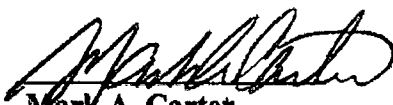
4/4/2019
Date

SUBSCRIBED AND SWORN TO before me by Roy Jackson on this 4 day of APRIL March, 2019.



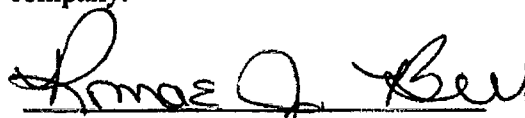

Notary Public

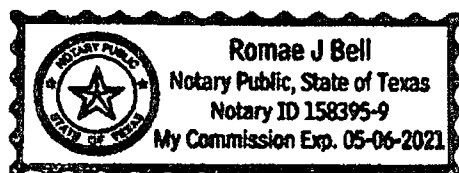
COG OPERATING LLC

By: 
Mark A. Carter
Attorney-in-Fact

STATE OF TEXAS §
§
COUNTY OF MIDLAND §

This instrument was acknowledged before me on April 5, 2019 by **Mark A. Carter, Attorney-in-Fact for COG Operating LLC**, a Delaware limited liability company, on behalf of said limited liability company.


Notary Public, State of Texas



PUCT Docket No. 48785
PROPOSED ROUTE MODIFICATIONS CONSENT AGREEMENT
Link K11, Hanging H Ranches Inc. Portion

Exhibit A

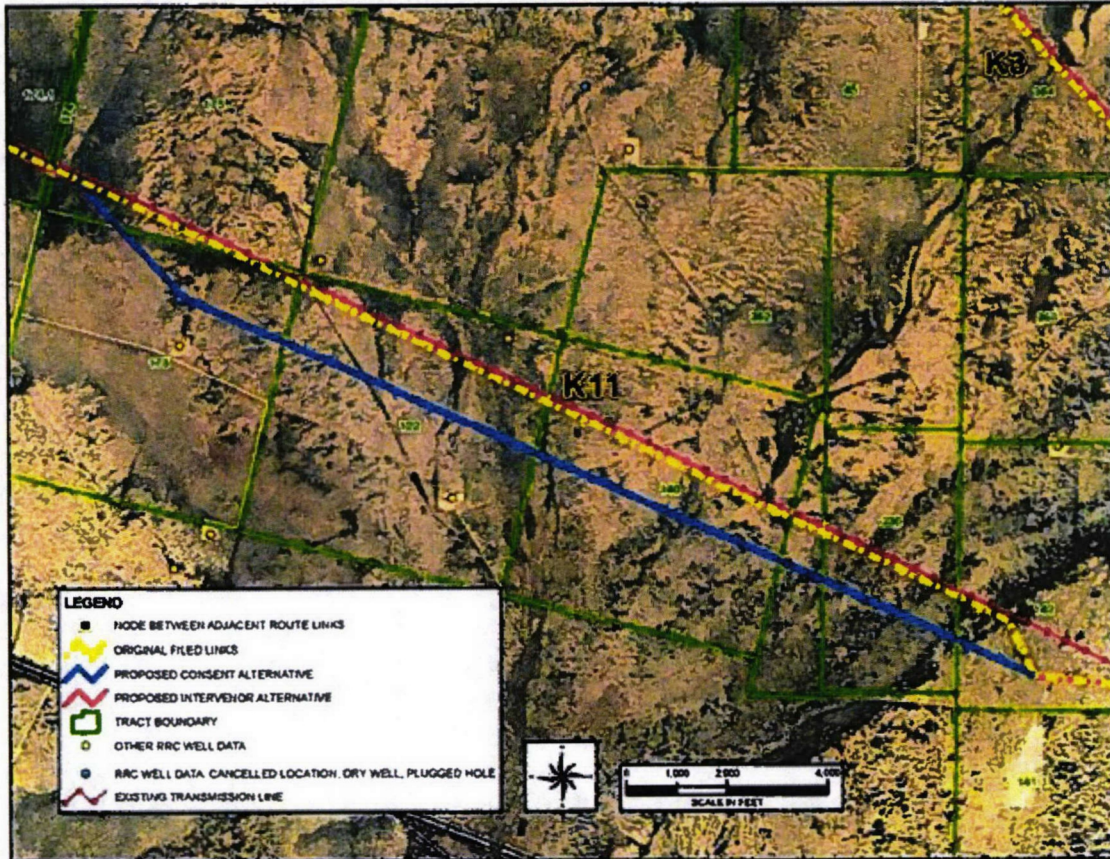


Exhibit B

